

May 2, 2017

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 2, 2017.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Trevor M. Fuller, Bill James, Vilma D. Leake,
Jim Puckett, and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Fuller, Dunlap and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3974, 17-3975, 17-3976, 17-3988, 17-3991, & 17-4001 to be removed from Consent and voted upon separately.

Commissioner Puckett entered the meeting.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 6-0 with Commissioners Cotham, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to

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move Items 17-3974 Proclamation Foster Care Awareness Month, 17-3975 Proclamation Older Americans Month and 17-4001 Proclamation Mecklenburg Declaration of Independence Week from the Consent section of the agenda to the Awards/Recognition section.

Chair Scarborough said Item 17-4006 Resolution Supporting Raising The Age of Juvenile Jurisdiction From 16 to 18 in N.C., placed on the agenda by Commissioner Cotham, would also be moved up on the agenda.

Commissioner Clarke entered the meeting.

CLOSED SESSION

17-3979 CONSULT WITH ATTORNEY
17-3985 LAND ACQUISITION
17-3998 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

Commissioner Ridenhour left the meeting and was absent until noted in the minutes.

County Attorney Bethune announced the following land acquisition matters to be discussed in Closed Session: Tax Parcels 201-123-03, 201-123-04, 201-123-05, 201-123-06, & 201-124-13.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 6-0 with Commissioners Clarke, Cotham, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition and Business Location and Expansion.

The Board went into Closed Session at 5:23 p.m. and came back into Open Session at 5:43 p.m.

Commissioners Dunlap, Fuller, and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order. Commissioner James gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

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AWARDS/RECOGNITION

17-3974 PROCLAMATION – FOSTER CARE AWARENESS MONTH

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating May 2017 as "Foster Care Awareness" Month in Mecklenburg County.

The proclamation was read by Commissioner Fuller.

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17-3975 PROCLAMATION – OLDER AMERICANS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour

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and Scarborough voting yes, to adopt a proclamation designating May 2017 as “Older Americans” month in Mecklenburg County.

The proclamation was read by Commissioner Leake.



17-4001 PROCLAMATION – MECKLENBURG DECLARATION OF INDEPENDENCE WEEK (COMMISSIONER RIDENHOUR)

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Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring May 14 - 20, 2017 as Mecklenburg Declaration of Independence Week in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Ridenhour and received by Eric Locher and Marty Clontz.

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PROCLAMATION City of Charlotte/Mecklenburg County

WHEREAS, on May 19, 1775, Charlotte Town's founder, Colonel Thomas Polk, called for a convention of the Mecklenburg County militia leaders to be held in Charlotte; and

WHEREAS, those twenty-six men, upon hearing of the Battles of Lexington and Concord, which had occurred exactly one month earlier, unanimously adopted resolutions to declare themselves "*a free and independent people*" in a document that came to be known as the Mecklenburg Declaration of Independence (or "MecDec"); and

WHEREAS, at noon on May 20, 1775, Colonel Polk read the Mecklenburg Declaration of Independence from the steps of the County Courthouse to the assembled citizens; and

WHEREAS, on May 31, 1775, members of the Mecklenburg Committee of Safety adopted twenty resolutions to directly govern themselves which came to be known as the Mecklenburg Resolves; and

WHEREAS, a local tavern owner named Captain James Jack was called upon to deliver, on horseback, the Mecklenburg Declaration of Independence and Mecklenburg Resolves to North Carolina's delegates at the Second Continental Congress in Philadelphia; and

WHEREAS, Captain Jack completed his errand, delivering the MecDec and telling the delegates that "*Gentlemen, you may debate here about reconciliation and memorialize your king, but, bear it in mind, Mecklenburg owes no allegiance to, and is separated from the crown of Great Britain forever!*"; and

WHEREAS, President John Adams was to later write of the MecDec that, "*the genuine sense of America at that moment was never expressed so well before, nor since*"; and

WHEREAS, Charlotte's Revolutionary spirit was personified by the words of British Cavalry officer Banastre Tarleton, who observed, "*the counties of Mecklenburg and Rohan were more hostile to England than any other in America*";

WHEREAS, the State of North Carolina has chosen to recognize the significance of the Mecklenburg Declaration of Independence by placing the date of its signing "May 20, 1775" upon our State Flag and Great Seal; and

WHEREAS, this May 20, 2017 is the 242nd anniversary of the MecDec:

NOW, THEREFORE, WE, Jennifer Watson Roberts, Mayor of Charlotte, and Ella B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, May 14 – 20, 2017 as

"MECKLENBURG DECLARATION OF INDEPENDENCE WEEK"

in Charlotte/Mecklenburg County and call upon all citizens to join us in commemorating the 242nd anniversary of the signing of the Mecklenburg Declaration of Independence.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.


Jennifer Watson Roberts, Mayor
City of Charlotte




Ella B. Scarborough, Chair
Mecklenburg Board of
County Commissioners



PUBLIC APPEARANCE

17-3977 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Jade X. Jackson addressed an upcoming movie event scheduled for May 3, 2017 at 6:30 p.m. entitled The Movie 13. It will be shown at Statesville Avenue Presbyterian Church, 3435 Nevin Road, Charlotte, NC, sponsored by Charlotte United Progressive Coalition.

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COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4006 RESOLUTION SUPPORTING RAISING THE AGE OF JUVENILE JURISDICTION FROM 16 TO 18 IN N.C. (COMMISSIONER COTHAM)

Commissioner Cotham introduced a resolution supporting raising the age of juvenile jurisdiction from 16 to 18 in N.C. She was assisted in the reading of the resolution by Commissioner Ridenhour.

The following persons spoke in support of the resolution proposed by Commissioner Cotham and co-sponsored by Commissioners Bill James, Matthew Ridenhour, George Dunlap, Ella B. Scarborough and Vilma D. Leake:

Corine Mack, Stantavia Wright, JaQuaveyon Barber, Shamari Pittman, Gemini Boyd, Jade X. Jackson, Frank Crawford, and Joel Segal.

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution Supporting Raising the Age of Juvenile Jurisdiction from 16 to 18 in N.C. For All Crimes Other Than Class A through E Felonies and Traffic Offenses and Supporting the Passage of House Bill 280.

A RESOLUTION SUPPORTING RAISING THE AGE OF JUVENILE JURISDICTION FROM 16 TO 18 IN NORTH CAROLINA FOR ALL CRIMES OTHER THAN CLASS A THROUGH E FELONIES AND TRAFFIC OFFENSES AND SUPPORTING THE PASSAGE OF HOUSE BILL 280

WHEREAS, on March 8, 2017, a bipartisan group of North Carolina House of Representatives members filed House Bill 280 with the North Carolina House of Representatives Clerk's Office; and

WHEREAS, House Bill 280, titled "Juvenile Justice Reinvestment Act" would raise the age of juvenile jurisdiction to include 16 and 17-year-olds, except in the case of certain felonies and motor vehicle laws; and

WHEREAS, North Carolina remains the only state in the U.S. that automatically prosecute 16 and 17- year-olds, as adults, regardless of the severity of the crime; and

WHEREAS, adolescents prosecuted in the juvenile justice system are less likely to go on to commit another crime compared to juveniles tried in the adult system, which results in lower costs to society and more children growing up to become educated, employed citizens; and

WHEREAS, evidence shows that the juvenile justice system with programs tailored to how children think and learn is more effective at rehabilitating youth and that neuroscience and psychological studies prove brain development continues until well into a person's 20s; and

WHEREAS, raising the age of juvenile jurisdiction to 18 will lead to significant long-term financial savings, safer communities, better academic results and overall better outcomes for children; and

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WHEREAS, although juvenile crime has been declining, in 2014 alone, more than 17,000 misdemeanor charges were filed against 16 and 17-year-olds, statewide; and

WHEREAS, even in cases where the charges are dismissed, there remains the very real and long-term collateral consequences of a public record that could impact a young person's ability to get hired for their first job, be eligible for college financial aid or enlist in the military; and

WHEREAS, 97 percent of crimes committed by 16 and 17-year-olds, in North Carolina are either categorized as misdemeanors (80 percent) or non-violent felonies (17 percent); and

WHEREAS, in 2016, the NC Commission on the Administration of Law & Justice under the strong direction and leadership of NC Supreme Court Chief Justice Mark Martin, made a recommendation in favor of raising the age of juvenile jurisdiction (except for A-E felonies and traffic offenses); and

WHEREAS, the NC Commission on the Administration of Law & Justice also recommends expanding existing programs to reduce school-based referrals to juvenile and adult court known as "School-Justice Partnerships;" and

WHEREAS, the NC Sheriffs' Association, NC Police Benevolent Association, NC Association of County Commissioners, NC Association of Chiefs of Police, and NC Chamber of Commerce Legal Institute are all on record in support of raising the age to 18; and

WHEREAS, the North Carolina Association of County Commissioners adopted raising the age of juvenile jurisdiction from 16 to 18 in its 2017-2018 Legislative Goals, placing it within the top five priority goals for the session;

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg County Board of Commissioners affirms its support of raising the age of juvenile jurisdiction from 16 to 18 for all crimes other than Class A through E felonies and traffic offenses;

AND, BE IT FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners asks the North Carolina General Assembly to adopt House Bill 280, together with all necessary funding such a change requires.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

APPOINTMENTS

17-3990 APPOINTMENTS – BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Andrew Kennedy to the Building Development Commission as the Professional Engineers of NC-Charlotte Chapter representative to fill an unexpired term expiring July 31, 2017 and then a three-year term effective August 1, 2017 and expiring July 31, 2020.

Note: He replaces Robert Belisle.

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PUBLIC HEARINGS

17-3996 CONTINUATION OF PUBLIC HEARING ON CLOSING A PORTION OF RIGHT-OF-WAY OF WILBANKS DRIVE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to continue the public hearing to hear comments with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way.

The following persons appeared to speak to this matter:

David Laws, on behalf of the homeowners on Wilbanks Drive, thanked the Board for continuing the public hearing. He said it gave the homeowners additional time to meet with the developer/petitioner. Mr. Laws said per the meeting with the developer, 13 items were generally agreed upon. He said the only thing that remained was some wordsmithing by the developers' lawyer.

A list of those items is on file with the Clerk to the Board.

Randy Martin, on behalf of the developer/petitioner, spoke in favor of the closing of a portion of Wilbanks Drive right-of-way. He acknowledged that the meeting with the homeowners went well. He said communication had also taken place with County storm water staff and City of Charlotte staff.

Motion was made by Commissioner James, seconded by Commissioner Puckett, to close the public hearing with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way, and to approve the order closing a portion of the Wilbanks Drive right-of-way.

Commissioner Dunlap offered an amendment to the motion, which was to incorporate the 13 items that were agreed upon between the homeowners and developer/petitioner into the Order for Closing a portion of Wilbanks Drive right-of-way.

Commissioners James and Puckett, makers of the motion, accepted Commissioner Dunlap's amendment.

Cameron Ware, legal counsel for the developer/petitioner, clarified that the developer/petitioner had not agreed to those 13 items shared by Mr. Laws. He said progress was made, per the meeting with homeowners, but there wasn't a consensus. He said the

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petitioner was not prepared to have those 13 items incorporated into the Order for Closing a portion of Wilbanks Drive right-of-way. He said what was shared by Mr. Laws was a private draft of an agreement. Mr. Ware said the developer/petitioner did agree, however, to pay for the water and sewer hook-up fees. He said the other items were still being discussed and wordsmithing. Mr. Ware said those items were separate and apart from the issue of closing a portion of Wilbanks Drive right-of-way.

Commissioner Dunlap said he was trying to lookout for the homeowners to ensure that what was agreed upon would indeed occur since there was a signed document indicating 13 items that were mutually agreed upon.

It was pointed out to Commissioner Dunlap that the document presented to the Board had only been signed by the homeowners. In light of that fact, Commissioner Dunlap withdrew his amendment.

Commissioner Fuller noted there were other things that had been agreed upon and was reflected in the Order for Closing that was before the Board.

Commissioner Fuller asked was it possible, however, to indicate that there was consensus on the issues mentioned in the document presented to the Board by the homeowners.

County Attorney Bethune said it was his understanding that those matters were still in progress and that there was not consensus on all 13. He noted also that those matters did not relate to the abandonment and closing of the road and were not within the scope of the statute governing road closings.

County Attorney Bethune said once approved the Order would not be recorded until certain things occurred that had nothing to do with the development. He said the Order addressed matters preceding development and dealt with the abandonment and closing of a portion of Wilbanks Drive.

The vote was then taken on the original motion as noted below.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way, and approve the order closing a portion of the Wilbanks Drive right-of-way.

County Attorney Bethune noted that the Order would not be signed until he received confirmation the things that were required to be done, relevant to the new road being

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constructed and accepted by the City of Charlotte, had occurred.

Order recorded in full in Ordinance/Minute Book _____, Document #_____.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

17-4000 CAPITAL IMPROVEMENT PLAN UPDATE

The Board received an update on the County's Capital Improvement Plan (CIP) from Assistant County Manager/Interim Finance Officer Mark Foster.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Clarke asked based on what was presented, did it assume that the County would not authorize additional bonds for the next ten years. *The response was no.*

Assistant County Manager/Interim Finance Officer Foster said it assumed the only bonds in a new referendum would be associated with the Charlotte-Mecklenburg Schools (CMS) Capital Improvement Program. He said it also assumed bonds that had not been issued would be able to be tapped.

Commissioner Clarke asked was this a change in practice. *Assistant County Manager/Interim Finance Officer Foster said no. He said the practice had been to use as much pay-go as possible within the limits of the County's capacity; but still have the ability to utilize the bond referendums as they were intended to supplement pay-go.*

County Manager Diorio said what was presented was really a five-year CIP.

Commissioner Clarke asked about outstanding debt, which was addressed.

Commissioner James referenced and asked for clarity regarding the General Fund and Debt Service Fund chart presented, which was addressed.

Commissioner James asked about the cashflow by year chart and CMS' special projects, which was addressed.

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Commissioner James questioned why CMS put Bruns Academy and West Charlotte High School on their list of projects in front of other projects that were already on the list and ranked higher.

Commissioner James said CMS was not following its own priority list and that an explanation should have been provided to the County as to why. He said it was not fair that District Two had more projects scheduled than any other district.

Commissioner Ridenhour echoed Commissioner James' remarks regarding CMS not following its own priority list. He questioned whether these changes were made because of political pressure. He said he was questioning the needs for Bruns and West Charlotte, only the process by which they were placed on the list.

Commissioner Ridenhour addressed the needs of District Five. He also noted disappointment of residents in District Five with the CMS Student Assignment Plan.

Commissioner Dunlap said he wanted to know if CMS was still committed to K-8 schools.

Commissioner Dunlap asked about the Memorial Stadium project and the amount shown for the project. *County Manager Diorio explained that the County was going to do its share of the cost of the project (\$42.5 million). She said the Team was going to give the County \$12.5 million upfront and was going to pay off the rest of their share over the course of the lease payments; but that the part the Team would pay over the course of the lease payments would have to be financed by the County on the front end, which was why the amount appeared as it did.*

Commissioner Dunlap asked was it correct that the County's investment was still what it had originally agreed to and that the upfront funding the County was having to do would be recouped. *County Manager Diorio said that was correct.*

Commissioner Dunlap asked would the total CIP amount shown negatively impact the County's bond rating. *The response was no, not if the County stayed within the statistics of what was being recommended by staff.*

Commissioner Dunlap asked had staff projected out what would happen if a recession like in 2008 reoccurred and was the County prepared for such a reoccurrence, which was addressed. *County Manager Diorio noted the County's Debt Policy.*

Commissioner Puckett said he was opposed to the CMS bond request because of the uncertainty around K-8 schools, the magnet school component of it and that it lacked logic.

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Commissioner Leake addressed the needs of District Two and how those needs had not been addressed over the years.

Commissioner Fuller addressed the state of economic opportunity in Charlotte/Mecklenburg and the correlation it had with educating children.

Commissioner Dunlap left the meeting and was absent for the remainder of the meeting.

Chair Scarborough addressed the needs of children with respect to ensuring that all children were afforded a quality education.

Note: The above was not inclusive of every comment but was a summary.

DEPUTY COUNTY MANAGER/CHIEF OF STAFF CHRIS PEEK

County Manager Diorio noted that Deputy County Manager/Chief of Staff Chris Peek, effective May 15, 2017, would be leaving the County to assume the position of the President and Chief Executive Officer of CaroMont Regional Medical Center in Gastonia, N.C. He joined Mecklenburg County as a senior Human Resources manager in 2006.

County Manager Diorio expressed thanks to Deputy County Manager/Chief of Staff Chris Peek for his years of service with Mecklenburg County, which was echoed by members of the Board.

17-4002 ABOVE & BEYOND @ WORK WINNER

The Board recognized the County Manager's Above & Beyond @ Work Award winner, Marie Campbell from DSS, who was introduced by County Manager Diorio.

Note: The Above & Beyond @ Work Award was created by County Manager Diorio to recognize outstanding employees. Marie Campbell is the sixth winner.

Ms. Campbell thanked County Manager Diorio and the Board for recognizing her.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

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**17-3986 COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM – 2017
ANNUAL ACTION PLAN (FY 2017-18) SUMMARY**

Assistant to the County Manager Timmothy Tibbs and Victoria Rittenhouse with the Centralina Council of Governments presented the 2017 Annual Action Plan (FFY 2017-18) for Mecklenburg County's Community Development Block Grant program.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the 2017 Annual Action Plan (FFY 2017-18) for Mecklenburg County's Community Development Block Grant program, funded by the US Department of Housing and Urban Development.

Note: As required by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County prepares an Annual Action Plan each year, which describes the funding levels and activities to be undertaken during the individual upcoming program year for the CDBG program to address the priority needs and objectives as outlined in the Consolidated Plan. As an entitlement community, Mecklenburg County receives an annual share of federal Community Development Block Grant funds. To receive its CDBG entitlement funding, the County must submit the Annual Action Plan to HUD. The 2017 Annual Action Plan includes the funding application for CDBG funds in the amount of up to \$825,000. The 2017 Annual Action Plan strives to reflect the County's continued efforts and commitment to address public facility and infrastructure improvements, and need for child care assistance for low to moderate income persons. Additionally, Mecklenburg County will continue to undertake specific actions to address the national objectives outlined by HUD by providing for increased activity involving resident initiatives, evaluation and reduction of lead-based paint hazards, increased employment opportunities, the further development of community-based institutional facilities and the enhancement of coordination between public and private housing and human service agencies. All activities and funding priorities included in Mecklenburg County's Annual Action Plan will address three statutory goals set by HUD:

- *Provide Decent Housing*
- *Provide A Suitable Living Environment*
- *Provide Expanded Economic Opportunities*

A copy of the Plan is on file with the Clerk to the Board.

17-3985 LAND ACQUISITION – CMS SITE AT SANDY PORTER ROAD

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and

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Scarborough voting yes, to approve the purchase price of \$1,600,000 for Charlotte-Mecklenburg Board of Education to acquire Tax Parcels 201-123-03, 201-123-04, 201-123-05, 201-123-06 and 201-124-13 (19.75 acres approximately) to serve as the site of an elementary school in southwest Charlotte, NC from Jo Beth Bassett Melton and husband Charles Randal Melton; Lynn C. Schwalje and husband Michael J. Schwalje; James E. Shelton and wife Leslie A. Shelton; and Steven R. Casper and Edward L. Casper as Trustees of The Casper Family 1988 Trust.

CONSENT ITEMS

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

17-3978 MINUTES

Approve Minutes of Regular meeting held April 18, 2017.

17-3980 SET A PUBLIC HEARING – FIXED FEE COMPONENT OF THE STORM WATER FEE

Set a public hearing for 6:30 pm on May 16, 2017 on a proposed increase to the Fixed Fee Component of the Storm Water Fee.

17-3982 CAPITAL RESERVE EXPENDITURE REQUESTS – RAY’S SPLASH PLANET (PARK AND RECREATION)

Approve expenditure of \$225,000 from the Consolidated Aquatic Capital Reserve Fund as follows:

- 1) \$175,000 for expansion of the family locker room
- 2) \$10,000 for facility signage replacement
- 3) \$40,000 for repair of the mechanical pump room

17-3983 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

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1. Accept the Offer of Sale of Real Estate from Henry Bennett Jones, Jr. and wife Josephine A. Jones, owners of property located at 3302-3310 Commonwealth Avenue, Charlotte, NC (tax parcel 129-101-54), for \$234,000;
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises; and
3. Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING TRANSFER OF REUSABLE BUILDING MATERIALS
TO HABITAT FOR HUMANITY OF CHARLOTTE, INC.**

WHEREAS, Mecklenburg County is proposing to acquire and demolish certain structures located in flood-prone areas along various creeks in Mecklenburg County through its Charlotte-Mecklenburg Storm Water Services, Engineering & Mitigation Program, moreover described as follows:

TAX PARCEL ID	STREET ADDRESS	CITY	STATE	ZIP CODE
06914420	3101 SOUTHWESY BLVD	CHARLOTTE	NC	28216
06907107	732 PRINCE ST	CHARLOTTE	NC	28216
06907102	800/816 PRINCE ST	CHARLOTTE	NC	28216
06905114	748 SELDON DR	CHARLOTTE	NC	28216
06905105	848 SELDON DR	CHARLOTTE	NC	28216
06902725	2641 ROSLYN AVE	CHARLOTTE	NC	28208
06902724	2637 ROSLYN AVE	CHARLOTTE	NC	28208
12903410	2636 COMMONWEALTH AVE	CHARLOTTE	NC	28205
12910154	3302 COMMONWEALTH AVE	CHARLOTTE	NC	28205
12910153	3346 COMMONWEALTH AVE	CHARLOTTE	NC	28205
12910152	3348 COMMONWEALTH AVE	CHARLOTTE	NC	28205
12910151	3356 COMMONWEALTH AVE	CHARLOTTE	NC	28205

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12910146	3412 COMMONWEALTH AVE	CHARLOTTE	NC	28205
11904203	1924 MERRIMAN AVE	CHARLOTTE	NC	28203
11904202	1932 MERRIMAN AVE	CHARLOTTE	NC	28206
07113127	2922 OCTOBER CT	CHARLOTTE	NC	28208
18101107	100 PLACID PL	CHARLOTTE	NC	28211
18101106	110 PLACID PL	CHARLOTTE	NC	28211
09906109	2225 PURSER DR	CHARLOTTE	NC	28215

WHEREAS, the properties in question may become a part of the Mecklenburg County open space, parks and greenway system; and

WHEREAS, Habitat For Humanity of Charlotte, Inc. ("Habitat For Humanity"), a North Carolina not-for-profit corporation engaged in providing quality housing to low and moderate income persons in Mecklenburg County, has requested that it be allowed to remove and sell such reusable building materials from said structures, and to use the proceeds to help develop housing for low and moderate income persons in Mecklenburg County; and

WHEREAS, Habitat For Humanity has estimated that it will be able to sell such reusable building materials; and

WHEREAS, North Carolina General Statute 160A-279 provides that whenever a county is authorized to appropriate funds to any private entity which carries on a public purpose, the county may, in lieu of appropriating funds, convey for private sale to such entity any personal property which it owns provided that it attach a covenant which will assure that the property be put to a public use by the recipient entity; and

WHEREAS, assisting with providing housing for low and moderate income persons is a public purpose as provided in N.C.G.S. 153A-378; and

WHEREAS, said N.C.G.S. 160A-279 requires that the procedural provisions of G.S. 160A-267 shall apply, which statute requires that the Board adopt a resolution authorizing appropriate officials to dispose of the property by private sale at a negotiated price, and that a notice summarizing the contents of the resolution be published once after its adoption, and that such sale be consummated no earlier than ten (10) days after the publication of said notice; and

WHEREAS, the Board of County Commissioners has determined that it would be in the public interest and appropriate to use this statutory authorization to convey the reusable building materials to Habitat For Humanity; **now, therefore, be it**

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize W. Dave Canaan, Director of Mecklenburg County Water and Land Resources, to transfer title to the reusable building materials contained in structures listed above once under the ownership of Mecklenburg County, to Habitat For Humanity, with the covenant that Habitat For Humanity must remove the building materials in a timely manner, and that such building materials either be used directly in the construction of housing for low and moderate income persons, or that the property be sold and the proceeds be used to provide housing for low and moderate income persons; and be it further

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RESOLVED that the Clerk to the Board is directed to publish a notice summarizing the contents of this resolution once after its adoption, and that the transfer of property to Habitat For Humanity not be consummated until ten (10) days after its publication.

Resolution recorded in full in Ordinance/Minute Book _____, Document # _____.

17-3987 TAX REFUNDS

Approve refunds in the amount of \$101,021.38 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be \$59.33.

A list of the taxpayer recipients is on file with the Clerk to the Board.

**17-3992 BUDGET AMENDMENT – CHILD SUPPORT ENFORCEMENT DEPARTMENT
(REINVESTMENT REVENUE)**

Recognize and appropriate revenue of \$328,124, received in FY16, to be reinvested into the Child Support Enforcement program.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the meeting and was absent for the remainder of the meeting.

17-3976 BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive, and appropriate additional Federal IV-E Child Care Subsidy revenue of \$304,365 from the North Carolina Division of Child Development and Early Education (DCDEE).

Note: Mecklenburg County funding authorization from DCDEE reflected an additional \$304,365 for Child Care Subsidy. Child Care Resources, Inc. (CCRI) is the Child Care administrator. The funds will cover services for children currently receiving title IV-E. No additional county dollars are requested.

May 2, 2017

Commissioner Leake removed this item from Consent for more public awareness.

17-3988 CAPITAL RESERVE EXPENDITURE REQUEST – REVOLUTION PARK (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve expenditure of \$490,660 from the Synthetic Turf Field Capital Reserve Account to replace the synthetic turf field at Revolution Park with an organic geofill with underlying pad.

Commissioner Leake removed this item from Consent for more public awareness.

17-3991 GRANT APPLICATION – RESILIENCE IN COMMUNITIES AFTER STRESS AND TRAUMA (RECAST)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the Health Department to submit a grant application for up to \$1,000,000 per year for five years from the Federal Substance Abuse and Mental Health Services Administration (SAMHSA), and if awarded, recognize, receive and appropriate awarded funds for the grant period.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:03 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair